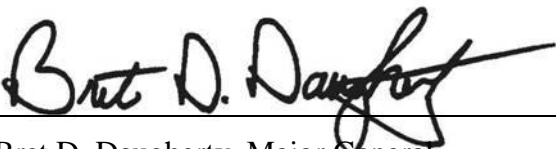




## Department Policy No. HR-251-05

<b>Title:</b>	Personnel Files
<b>Authorizing Source:</b>	<a href="#">RCW 42.56.250</a> ; <a href="#">WAC 357-22</a>
<b>Information Contact:</b>	Human Resources Director Building 33 (253) 512-7942
<b>Effective Date:</b>	July 1, 2005
<b>Revised:</b>	November 22, 2019
<b>Mandatory Review Date:</b>	November 22, 2023
<b>Approved By:</b>	 Bret D. Daugherty, Major General The Adjutant General Washington Military Department Director

### Purpose

The purpose of this policy is to provide Washington Military Department (WMD) management and staff with a reference to [WAC 357-22](#) and applicable chapters that provide guidelines for personnel files.

### Scope

This policy applies to all state employees of the WMD. It does not apply to guard members on state active duty or federal personnel to include Active Guard Reservists (AGRs), traditional guard personnel in federal military status or military technicians.

### Definitions

**Public Records:** Any written information relating to the conduct of the WMD or the performance of its functions, which is prepared, owned, used, or retained by the WMD regardless of physical form or characteristics.

**Personnel File:** A file of written records or documents which is created and designated as the official repository for information pertaining to each employee's employment history, and such other information as may be necessary for department personnel administration.

## **Policy**

A current and accurate personnel file will be retained for each employee, showing a record of employment and other information which may be required for business and legal purposes. WMD personnel files will be established, maintained, accessed, and disposed of per [WAC 357-22](#). Employees will be furnished a copy of all performance related information placed in their personnel files.

### **A. Responsibility**

- 1) The Appointing Authority is designated as the Records Custodian of personnel files for all State employees of the WMD.
- 2) The Human Resources Director is responsible for managing the maintenance, retention, and protection of personnel files.

### **B. File Structure**

- 1) Personnel files will be structured into the following five (5) sections:
  - a. Section 1: Emergency Contact Data
  - b. Section 2: Personnel/Payroll
  - c. Section 3: Employment Information
  - d. Section 4: Training/Policy
  - e. Section 5: Job Performance
  - f. Section 6: Personnel File Access Record

### **C. Examples of items filed in the Personnel file:**

- 1) Transactional record of hire into the state and subsequent movement in state employment.
- 2) Personal information about the employee, e.g., name, address, phone number, position status and pay.
- 3) Appointment letters.
- 4) Record of performance, certificates of achievement (including educational), performance evaluations, recognition letters, corrective or disciplinary action notices, and documents or materials that may lead to corrective action process.
- 5) Reports of training activity.
- 6) Other forms or information relative to employment with state government.

**D. Items not maintained in Personnel Files:**

- 1) Some information is not appropriate for storage within the personnel files.  
Examples of information kept elsewhere are shown below:

<b>Information not in personnel file</b>	<b>Where this information is stored</b>
Affirmative action information.	Separate affirmative action file.
Annual leave, sick leave and personal holiday information.	Attendance documents are maintained by the employee's supervisor and Payroll Office.
Benefits, retirement, direct deposit form, unemployment insurance and insurance forms.	Payroll file.
Coaching documents.	Supervisory files maintained by immediate supervisor. Note: Coaching documents may eventually be included in a personnel file if such documents lead to corrective or disciplinary action.
Background Check Documents	Separate background check file
I-9 information.	Separate I-9 file.
Medical verification of a condition, hearing test or lead exposure test results, reasonable accommodation, family medical leave, or shared leave activity.	Separate confidential medical file in the Human Resources Office.
Worker's compensation documents	Claim File

**E. Storage of Files**

Personnel Files are kept under the supervision of the Human Resources Office, during work hours and stored in a locked office or locked file for safe-keeping after hours.

**F. Access to Personnel Files**

- 1) The following are authorized access to personnel files:
- a) With proof of identification, employees may examine their personnel file in the presence of a State Human Resources Office representative.
  - b) The employee's representative, with written authorization from the employee. The authorization will be retained in the employee's personnel file.

- c) Official representative of government agencies with legal authorization to view personnel files for specific purposes.
  - d) WMD supervisors and managers in the employee's direct chain of command.
  - e) Other WMD staff whose duties require access to the personnel file (Agency Directors, Division Directors, Human Resources Staff, Public Disclosure, etc.).
- 2) After access has been approved by the Human Resources Office, an entry must be made on the Personnel File Access Record located in the personnel file. Exceptions to this process include access by:
    - a) Appropriate Human Resources staff, and
    - b) Payroll representative required to access files in the performance of his/her duties.

#### **G. Confidentiality**

- 1) The WMD is committed to protecting the confidentiality of the information contained within employee personnel files. The confidentiality of the personnel file will be preserved to the extent possible under the state's public disclosure law.
- 2) Human Resources Staff working with personnel files must have signed confidentiality agreements to maintain the strictest standards of confidentiality when dealing with any employee issues or records.
- 3) Information in the personnel file subject to public disclosure will be managed per policy [DIR-004-08](#), Public Records Disclosure.
- 4) Employees will be notified of any requests for disclosure of information from their personnel file prior to the disclosure.

#### **H. Removal of documents from the Personnel file**

- 1) Generally, information placed in a personnel file will remain, but The Adjutant General (TAG) may authorize the removal of material from the file if determined appropriate.
- 2) Material in personnel files relating to employee misconduct will be removed and destroyed if the employee is exonerated or the TAG determines the information is false, unless the employee requests the information be kept or there is related legal action pending.
- 3) Material relating to employee misconduct in the performance of official duties will be maintained per the Records Retention Schedule. Employees may request it be removed and destroyed at the conclusion of the retention period, but the WMD reserves the right to retain the information if it has a reasonable bearing on the efficient and effective management of the WMD.

- 4) Employees contesting information in their personnel file may submit rebuttals or refuting documentation to the Human Resources Office for placement in their personnel file. Such rebuttals will be attached to the related document(s).

**I. Records Maintenance**

- 1) Personnel Files are kept under the supervision of a Human Resources Representative during work hours and stored in a locked office or locked file for safe-keeping after hours.
- 2) Personnel files may not be removed from the Human Resources Office without Permission of the Human Resources Director.
- 3) Personnel files will follow employees throughout their employment with the State of Washington.
- 4) Office of Financial Management Form 12-048 Employee Personnel Records Transmittal will be used to transfer personnel files to follow an employee throughout his/her state employment.
- 5) When an employee separates from state service, the form and file contents will be archived in accordance with the state records retention schedules.